

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENEQUE JEAN-LOUIS, ANGEL PINAREYES,
TOMAS TORRES-DIAZ, ROSELIO MENDOZA,
EDWIN PEGUERO, JONNATAL PERALTA, and
ROBIN SORIANO, Individually and on Behalf of
all Other Persons Similarly Situated,

Plaintiffs,

-against-

METROPOLITAN CABLE
COMMUNICATIONS, INC., RICHARD PANG,
JOHN SNYDER, BILL BAKER, PATRICK
LONERGAN, JOHN GAULT and TIME
WARNER CABLE OF NEW YORK CITY, A
DIVISION OF TIME WARNER
ENTERTAINMENT COMPANY, L.P.,

Defendants.

ECF CASE

Index No. 09-Civ-6831 (RJH)(MHD)

**DEFENDANT TIME WARNER
CABLE OF NEW YORK CITY'S
NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

To: Julie Gaughran, Esq.
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Attorneys for Plaintiffs

PLEASE TAKE NOTICE that Defendant Time Warner Cable of New York City,
a Division of Time Warner Entertainment Company, L.P. (hereinafter "TWCNYC"), by
its attorneys, Kauff McGuire & Margolis LLP, upon (i) the annexed Declaration of
Shelby A. Silverman, Esq. (with exhibits), (ii) the annexed Affidavit of Louis

Digiandomenico (with exhibit), (iii) the annexed Affidavit of John William Baker, (iv) the annexed Memorandum of Law in Support of Defendant Time Warner Cable of New York City's Motion for Summary Judgment, and (v) Defendant Time Warner Cable of New York City's Rule 56.1 Statement, served and filed on or about November 8, 2010, the undersigned will move this Court before the Honorable Richard J. Holwell, United States District Court, 500 Pearl Street, New York, New York 10007, on a date to be set by the Court, for an Order (i) granting summary judgment in favor of Defendant TWCNYC and dismissing the Complaint against Defendant TWCNYC in its entirety, on the grounds that there are no genuine issues of material fact and Defendant TWCNYC is entitled to judgment as a matter of law and (ii) awarding to Defendants their costs, including attorneys' fees and such other further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are to be served by December 8, 2010; and that reply papers, if any, are to be filed and served by December 22, 2010.

Dated: New York, New York
November 8, 2010

KAUFFMCGUIRE & MARGOLIS LLP

By:  _____

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Shelby A. Silverman (SAS-0114)

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